

App. No. 10/737,128

Filed December 15, 2003

Amendment dated January 4, 2006 in response to non-final Office Action of October 4, 2005

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## **AMENDMENTS TO THE CLAIMS**

Please amend claims 1, 8, 17, 18, 23 and cancel claim 26 as indicated in the Listing of Claims below, which replaces all prior versions of claims in the application.

## **LISTING OF CLAIMS**

1. (currently amended) A flexible tracheotomy endotracheal tube comprising:
  - a) a short distal section of tubing;
  - b) an intermediate section of tubing;
  - c) a pre-formed obtuse-angle bend in the tube between the distal and intermediate sections;
  - d) an elongated proximal section of tubing;
  - e) a pre-formed abrupt bend in the tube between the intermediate and proximal sections; and
  - f) an inflatable cuff integrated into the distal section of tubing;

~~wherein the ratio of the length of the distal section to the length of the intermediate section is from about 1.0 to about 2.0, and the ratio of the length of the proximal section to the length of the distal section is from about 2.0 to about 4.0.~~
2. (previously presented) The endotracheal tube of claim 1 wherein all sections and bends of the flexible tube are made of a thermoplastic material preformed to the shape described.
3. (original) The endotracheal tube of claim 1 wherein the abrupt bend interconnects the proximal section and the intermediate section along the length of the tube at an angle of from about 80 to about 95 degrees.
4. (original) The endotracheal tube of claim 3 wherein the abrupt bend interconnects the proximal section and the intermediate section along the length of the tube at approximately a right angle.

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5. (original) The endotracheal tube of claim 1 wherein the distal section, the intermediate section, and the proximal section extend in the same general plane.
6. (original) The endotracheal tube of claim 1 wherein the proximal section is substantially rectilinear in formation.
7. (original) The endotracheal tube of claim 6 wherein the distal section and the intermediate section are substantially rectilinear in formation.
8. (currently amended) The endotracheal tube of claim 1 wherein the obtuse-angle bend in the tube is from about 105 to about 130 degrees, ~~and wherein the ratio of the length of the distal section to the length of the intermediate section is from about 1.2 to about 1.8, and the ratio of the length of the proximal section to the length of the distal section is from about 2.5 to about 3.5.~~
9. (original) The endotracheal tube of claim 8 wherein the obtuse-angle bend in the tube is from about 110 to about 120 degrees.
10. (original) The endotracheal tube of claim 9 wherein the abrupt bend interconnects the proximal section and the intermediate section along the length of the tube at approximately a right angle.
11. (original) The endotracheal tube of claim 10 wherein the proximal section, the distal section and the intermediate section are substantially rectilinear in formation.
12. (previously presented) The endotracheal tube of claim 11 wherein all sections and bends of the flexible tube are made of a thermoplastic material preformed to the shape described.
13. (original) The endotracheal tube of claim 1 wherein the distal section has a beveled terminal end with at least one port opening adjacent thereto, the tube being otherwise imperforate.

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14. (original) The endotracheal tube of claim 12 wherein the distal section has a beveled terminal end with at least one part opening adjacent thereto, the tube being otherwise imperforate.
15. (original) The endotracheal tube of claim 1 wherein the inflatable cuff securely locates the distal section in a patient's trachea and substantially prevents leakage of air back out the patient's mouth during positive pressure ventilation.
16. (original) The endotracheal tube of claim 14 wherein the inflatable cuff securely locates the distal section in a patient's trachea and substantially prevents leakage of air back out the patient's mouth during positive pressure ventilation.
17. (currently amended) A flexible tracheotomy endotracheal tube comprising:
  - a) a short distal section of tubing;
  - b) an intermediate section of tubing;
  - c) a pre-formed obtuse-angle bend in the tube between the distal and intermediate sections;
  - d) an elongated proximal section of tubing;
  - e) a pre-formed abrupt bend in the tube between the intermediate and proximal sections; and
  - f) an inflatable cuff integrated into the distal section of tubing;

~~wherein the ratio of the length of the distal section to the length of the intermediate section is from about 1.0 to about 2.0, and the ratio of the length of the proximal section to the length of the distal section is from about 2.0 to about 4.0; and~~ wherein the abrupt bend interconnects the proximal section and the intermediate section along the length of the tube at an angle of from about 80 to about 95 degrees, and the obtuse-angle bend interconnects the distal section and the intermediate section along the length of the tube at an angle of from about 105 to about 130 degrees; and wherein the distal section, the intermediate section, and the proximal section extend in the same general plane and are substantially rectilinear in formation.

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18. (currently amended) The endotracheal tube of claim 17 wherein all sections and bends of the flexible tube are made of a thermoplastic material preformed to the shape described, ~~and wherein the ratio of the length of the distal section to the length of the intermediate section is from about 1.2 to about 1.8, and the ratio of the length of the proximal section to the length of the distal section is from about 2.5 to about 3.5.~~
19. (original) The endotracheal tube of claim 18 wherein the abrupt bend interconnects the proximal section and the intermediate section along the length of the tube at approximately a right angle.
20. (original) The endotracheal tube of claim 19 wherein the obtuse-angle bend in the tube is from about 110 to about 120 degrees.
21. (original) The endotracheal tube of claim 20 wherein the distal section has a beveled terminal end with at least one port opening adjacent thereto, the tube being otherwise imperforate.
22. (original) The endotracheal tube of claim 21 wherein the inflatable cuff securely locates the distal section in a patient's trachea and substantially prevents leakage of air back out the patient's mouth during positive pressure ventilation.
23. (currently amended) A flexible tracheotomy endotracheal tube comprising:
  - a) a short distal section of tubing;
  - b) an intermediate section of tubing;
  - c) a pre-formed obtuse-angle bend in the tube between the distal and intermediate sections;
  - d) an elongated proximal section of tubing;
  - e) a pre-formed abrupt bend in the tube between the intermediate and proximal sections; and
  - f) an inflatable cuff integrated into the distal section of tubing;

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wherein the abrupt bend interconnects the proximal section and the intermediate section along the length of the tube at an angle of from about 80 to about 95 degrees, and the obtuse-angle bend interconnects the distal section and the intermediate section along the length of the tube at an angle of from about 105 to about 130 degrees; wherein the distal section, the intermediate section, and the proximal section extend in the same general plane and are substantially rectilinear in formation; ~~wherein the ratio of the length of the distal section to the length of the intermediate section is from about 1.0 to about 2.0, and the ratio of the length of the proximal section to the length of the distal section is from about 2.0 to about 4.0;~~ and wherein all sections and bends of the flexible tube are made of a thermoplastic material preformed to the shape described.

24. (original) The endotracheal tube of claim 23 wherein the abrupt bend interconnects the proximal section and the intermediate section along the length of the tube at approximately a right angle.
25. (original) The endotracheal tube of claim 24 wherein the obtuse-angle bend in the tube is from about 110 to about 120 degrees.
26. (canceled)